United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

22651–22675

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 26, 1935]

22651. Adulteration and misbranding of sodium cacodylate ampoules. U. S. v. Pitman-Moore Co. Plea of guilty. Fine, $100. (F. & D. no. 30341. Sample nos. 6011–A, 6012–A, 6014–A.)

This case was based on an interstate shipment of three lots of sodium cacodylate ampoules labeled as containing 3, 5, and 7½ grains, respectively, of sodium cacodylate per 100 cubic centimeters. Samples taken from each lot were found to contain less sodium cacodylate than declared on the label.

On February 23, 1934, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Pitman-Moore Co., a corporation, Indianapolis, Ind., alleging shipment by said company in violation of the Food and Drugs Act, on or about July 15, 1932, from the State of Indiana into the State of Ohio, of quantities of sodium cacodylate ampoules which were adulterated and misbranded. The article was labeled in part: (Carton) "Each Cc contains: Sodium Cacodylate 3 grs. [or "5 Grs." or "7½ Grs."] * * * Pitman-Moore Co. Indianapolis."

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that the ampoules were represented to contain, in each cubic centimeter, 3 grains, 5 grains, or 7½ grains of sodium cacodylate; whereas they contained a less amount, the alleged 3-grain ampoules containing not more than 2.757 grains, the alleged 5-grain ampoules containing not more than 4.08 grains and the alleged 7½-grain ampoules containing not more than 6.71 grains of sodium cacodylate per 100 cubic centimeters.

Misbranding was alleged for the reason that the statements, "Each Cc contains Sodium Cacodylate 3 grs. [or "5 Grs." or "7½ Grs."]", borne on the box, and "Ampouls 1 Cc. contains Sodium cacodylate 3 grs." [or "5 grs." or "7½ grs."]", borne on the ampoule label, were false and misleading, since the ampoules contained a smaller amount of sodium cacodylate than was declared.

On May 12, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of $100.

M. L. WILSON, *Acting Secretary of Agriculture.*

22652. Adulteration and misbranding of fluidextract of ginger. U. S. v. Max Krapkoff (Kent & Taylor). Plea of guilty. Fine, $125. F. & D. no. 30293. I. S. nos. 31662, 39666, 42038, 42157, 47162.)

This case was based on interstate shipments of fluidextract of ginger which differed from the pharmacopoeial standard.

On July 11, 1934, United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Max Krapkoff, trading as Kent & Taylor, New York, N. Y., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about August 27, 1931, from the State of New York into the State of Texas, on or about September 9, November 14, and December 7, 1931, from the State of New York into the State of Maryland, and on or about November 24, 1931, from the State of New York into the State of Mississippi,